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U.S. DISTRICT COURT E.D.N.Y.
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BROOKLYN OFFICE

Sam A. Schmidt, Esq.

Of Counsel
Peter Nissman, Esq.

June 2, 2006

Hon. John Gleeson, USDJ
United States Courthouse
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Granted.
So ordered.
s/John Gleeson
6-7-06

Re: *United States v. Brenda Mayo*
~~Cr. 04-43~~ (JG)
05 CR 43

Dear Hon. Judge Gleeson:

Brenda Mayo has been living with her granddaughter Kierra in an apartment that has been described in the presentence report as being in "deplorable condition" and is "bare of any amenities." *PSR ¶ 47.* She shares this apartment with her ex-boyfriend and father of her grown children, John Carter, and his present girlfriend and their children. Ms. Mayo has complained that the consumption of alcohol has become problematic and she is concerned for herself and granddaughter. As such we are asking for a modification of her bail conditions to allow her to present herself and her daughter to the agency responsible for emergency shelter.

As described by Ms. Mayo, after she appears at the shelter she and her granddaughter will be placed in a tier 2 shelter facility within 48 hours. It is believed that such a facility will be located in Brooklyn. Such a facility consists of small apartments. Ms. Mayo would then be put on a waiting list for placement in a regular apartment. Placement in a regular apartment is unlikely to occur prior to sentencing. Living in a tier 2 shelter will be a step up for Ms. Mayo and her granddaughter and will not affect the scheduled sentencing hearing from going forward on June 30, 2006.

Presently, there is no telephone where she is living. At the shelter, there will be a telephone where I can reach Ms. Mayo. If allowed to leave her present resident and present herself and granddaughter at the shelter, Ms. Mayo has been instructed to contact my office and pre-trial services and provide us with the telephone of the agency and shelter. She also has been instructed to telephone my office twice a week.

While expressing reservations as to the timing and other potential pitfalls of the move, pre-trial services has indicated that it has no objection. AUSA Lee Friedman has informed me that his office will not take a position different than that of pre-trial services.

Therefore, I respectfully request that Ms. Mayo's bail conditions be modified to allow her to present herself and her granddaughter to a shelter for placement and require her to maintain regular contact with pre-trial services.

If you Honor requires any additional information, please have chambers contact my office.

Thank you for your Honor's consideration.

Sincerely,

Sam A. Schmidt

cc: AUSA Lee Freedman

Michael Ilaria, PTSO